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9 *Attorney for Defendant*

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA	)	Case No.: 2:16-mj-0185-PAL
	)	
13 Plaintiff,	)	<b>STIPULATION TO CONTINUE</b>
	)	<b>TRIAL</b> (First Request)
14 vs.	)	
	)	
15 CARLOS REVELES,	)	
	)	
16 Defendants.	)	
	)	

17 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden,  
18 United States Attorney, by and through, Nadia Ahmed, Assistant United States Attorney, and  
19 Jason R. Margolis, Esq. of Mace J. Yampolsky, Ltd., counsel for Defendant Carlos Reveles, that  
20 the trial in above-captioned matter be continued until the next available date on the Court's  
21 calendar after June 1, 2016.

22 This Stipulation is entered into for the following reasons:

- 23 1. Counsel for Defendant was retained on September 1, 2015 to represent the  
24 Defendant in connection with this case.
- 25 2. Counsel appeared at the initial arraignment on April 19, 2016, entered a not guilty  
plea on behalf of the Defendant, and set the matter for trial on May 25, 2016.

1 However, Defendant is scheduled to be out of the country on a pre-planned trip  
2 from May 16, 2016 through May 28, 2016.

3 3. The Defendant is out of custody, and does not object to the continuance.

4 4. Denial of this request could result in a miscarriage of justice, taking into account  
5 the exercise of due diligence by all parties hereto.

6 5. The additional time requested by this Stipulation is excludable in computing the  
7 time within which trial must start under the Speedy Trial Act, Title 18, United  
8 States Code, Section 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

9 5. This is the first stipulation for a continuance sought by the parties hereto.

10 Dated this 11<sup>th</sup> day of May, 2016.

11  
12 MACE J. YAMPOLSKY, LTD.

OFFICE OF THE UNITED STATES ATTORNEY

13 /s/ Mace J. Yampolsky, Esq.  
14 MACE J. YAMPOLSKY, ESQ.  
Attorney for Defendant

/s/ Nadia Ahmed, Esq.  
NADIA AHMED, ESQ.  
Attorney for Plaintiff

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10 **UNITED STATES DISTRICT COURT**

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12 UNITED STATES OF AMERICA ) Case No.: 2:16-mj-0185-PAL  
13 )  
14 Plaintiff, )  
15 )  
16 vs. )  
17 )  
18 CARLOS REVELES, )  
19 )  
20 Defendants. )  
21 )  
22 )  
23 )  
24 )  
25 )

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

**FINDINGS OF FACT**

1. Counsel for Defendant was retained on September 1, 2016 to represent the Defendant in connection with this case.
2. The trial in this matter is scheduled for May 25, 2016. However, Defendant is scheduled to be out of the country on a pre-planned trip from May 16, 2016 through May 28, 2016.
3. The Defendant is out of custody, and does not object to the continuance.
4. Denial of this request could result in a miscarriage of justice, taking into account the exercise of due diligence by all parties hereto.

1           5.     The additional time requested by this Stipulation is excludable in computing the  
2                 time within which trial must start under the Speedy Trial Act, Title 18, United  
3                 States Code, Section 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

4           5.     This is the first stipulation for a continuance sought by the parties hereto.

5                 For all of the above-enumerated reasons, the ends of justice would be served by granting  
6                 a continuance of the above trial date in this matter.

7                                 **CONCLUSIONS OF LAW**

8                 Based on the fact that Defendant will be out of the country from May 16, 2016 through  
9                 May 28, 2016; and based on the fact that denial of this request for continuance could result in a  
10                miscarriage of justice; the Court hereby concludes that:

- 11           1.     The continuance sought herein is excludable under the Speedy Trial Act, Title 18,  
12                 United States Code, Section 3161(h)(7)(A), when considering the factors under  
13                 Title 18, United States Code, Section 3161(h)(7)(B)(I) and 3161(h)(7)(B)(iv); and  
14           2.     The ends of justice is served by granting said continuance outweigh the best  
15                 interest of the public and the defendant in a speedy trial, since the failure to grant  
16                 said continuance would be likely to result in a miscarriage of justice.  
17

**ORDER**

**IT IS THEREFORE ORDERED** that the Trial in the above-captioned matter, currently scheduled for May 25, 2016, at the hour of 8:45 a.m., be vacated and continued until the next available date on the Court's calendar after June 1, 2016.

Dated: May 12, 2016

  
UNITED STATES MAGISTRATE JUDGE

Trial in this matter is now set for: July 13, 2016, at 8:45 a.m.